

# KING & SPALDING LLP

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## FAX TRANSMITTAL SHEET

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June 21, 2005

Attn: Examiner G. Desire  
**TO:** Group Art Unit 2625  
MAIL STOP RCE  
**Company:** U.S. Patent and Trademark Office

**Fax #:** 703-872-9306  
**City/State:** Alexandria, VA

**Tel. #:**  
**Serial No.** 09/746,453

**FROM:** Steven P. Wigmore 5551  
**Our Ref. #:** 05456.105044  
**NUMBER OF PAGES (including transmittal sheet):** 30

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### Notes/Comments:

#### Documents submitted via facsimile:

**Applicant** Rene Seeber

**Serial No.** 09/746,453

**Title** System and Method for Compiling Images from a Database and Comparing the Compiled Images with Known Images

**Papers Faxed:** Request for Continued Examination (RCE) Transmittal w/duplicate (2-pgs.); Amendment Transmittal in duplicate (2 pgs); and Amendment and Response Under 37 C.F.R. 1.116 (25-pgs.)

**Attorney** SPW/evc  
**Date Faxed** June 21, 2005  
**Docket** 05456.105044

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<b>Request for Continued Examination (RCE) Transmittal</b>  Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).	Application No.	09/746,453
	Filing Date	December 21, 2000
	Named Inventor(s)	
	Rene Seeber	
	Group/Art Unit	2625
	Examiner Name	G. Desire
Attorney Docket No.	05456.105044	

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 30092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14863 (mar. 20, 2000), 1222 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on \_\_\_\_\_. (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- iii. ☐ Other \_\_\_\_\_.
- b. ☒ Enclosed
- i. ☒ Amendment and Response Submitted Under 37 C.F.R. 1.116.
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other.

**2. Miscellaneous**

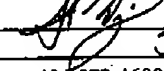
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(e) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(f) required)
- b. ☐ Other \_\_\_\_\_.

**3. Fees** (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0980.
- i. ☒ RCE Fee required under 37 CFR § 1.17(e) [Fee: \$790.00]
- ii. ☐ Extension of time fee (37 CFR §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_.
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

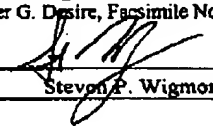
**Signature of Applicant, Attorney or Agent Required**

Steven P. Wigmore, Esq.  
KING & SPALDING LLP  
45<sup>th</sup> Floor, 191 Peachtree Street, N.E.  
Atlanta, Georgia 30303

By:  Reg. No. 40,447  
Date: June 21, 2005  
Telephone: 404.572.4600 Facsimile: 404.572.5145  
Customer No. 20786

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Steven P. Wigmore, Reg. No. 40,447

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**DUPLICATE**

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**Signature of Applicant, Attorney or Agent Required**

Steven P. Wignore, Esq.  
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By: [Signature] Reg. No. 40,447  
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[Signature]  
Steven P. Wignore, Reg. No. 40,447

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# IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of:

**Rene Seeber**

Serial No.: **09/746,453**

Filed: **December 21, 2000**

For: **System and Method for Compiling  
Images from a Database and Comparing  
the Compiled Images with Known Images**

Docket No. **05456.105044**

Art Unit **2625**

Examiner **G. Desire**

Confirmation No.: **2390**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 21, 2005

Sir:

Transmitted herewith are papers in the above-identified application.

- ☒ Request for Continued Examination (RCE) and fee of \$790.00.
- ☒ Amendment and Response Under 37 C.F.R. 1.116.
- ☒ An additional fee is not required.
- ☐ The additional fee is calculated as shown below:

					SMALL ENTITY		LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL	31	MINUS	31=	0	x9	\$	x18	\$ 0
INDEP.	7	MINUS	7=	0	x43	\$	x86	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					+145	\$	+290	\$
TOTAL						\$	\$ 0	
ADDITIONAL FEE						\$	\$ 0	

- ☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment to Account No. 11-0980. A duplicate copy of this sheet is provided.

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By:   
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**DUPLICATE**

PATENTS

**IN THE U.S. PATENT AND TRADEMARK OFFICE**

In re application of:

**Rene Seeber**Serial No.: **09/746,453**Filed: **December 21, 2000**For: **System and Method for Compiling  
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